

away and it is doubtful if he realized the importance of the outcome to him.

Attorney Darrow, for the first time the trial opened, showed the effect of the strain. His face was drawn and haggard and almost ghastly in its whiteness. Above, on the bench, Judge Bordwell concentrated his attention on both groups of attorneys, waiting.

The quiet was finally broken by District Attorney Fredricks declaring the law was absolute; that both sides must exhaust all challenges against the twelve men in the box in turn before any new names could be called. The defense objected and was overruled.

Fredricks challenged Frank Frakes and the defense quickly eliminated McKee; the state excused McNeely, the retired tailor and union man, and the defense Johnson. There was a lengthy pause, and then Fredricks, with the air of a man behind the largest stack of chips in a poker game, almost shouted, "we pass," and sat down in his seat. The frown on Attorney Darrow's face increased and he quickly eliminated Dr. Case and Frampton, and then stopped.

There was a pause of ten minutes for a conference, and finally Darrow walked back and conferred with Mrs. Frank Wolfe, wife of the biggest Socialist leader in this city.

It was the "woman's hunch," as she knew the members of the Winter family intimately. When Darrow resumed his seat he challenged Winter, who, although he

had worked as a strikebreaker in the butchers strike, was still believed to be secretly in favor of unionism. By this time it was almost dark, and Darrow asked the court to adjourn until today so that the defense could confer over night. Bordwell so ordered.

As exclusively stated by the United Press more than a week ago, the defense will next week renew its motion for a change of judge. Both McNamaras will repeat their original affidavits and add thereto the action of the court in refusing challenges against Talesman Frampton, who said he believed McNamara guilty, but was willing to acquit if he were proved innocent, and Talesmen Winter, McKee and Case. They also insist that it has been proven by the record that the best attorney for the state is not Fredricks, but Judge Bordwell himself.

The defense lawyers are so worked up that they openly assert they are willing to go to jail for contempt if Bordwell forces the issues, so that they can get the supreme court of the United States to pass on the questions involved, which include the constitutional rights of a defendant.

They will cite Bordwell's ruling on the Morton case yesterday, where he eliminated the veteran, whom, they say, was obviously in full possession of his mental faculties, because he admitted he was a Socialist, and kept Talesman Case, whose answers were almost parallel, because he is a member of the same fraternal or-